

FACILITIES USE AGREEMENT

In consideration for being allowed to use _____
(example, the gymnasium at a State facility), described herein as the "Event," on the
date and times specified below, _____ (hereinafter referred to as
"Event Sponsor") agrees to assume all risk of and liability for and hereby indemnifies,
saves and holds harmless the state of North Dakota and its agencies, officers, and
employees of, from and against any and all claims of any nature including all costs,
expenses and attorney's fees, which may in any manner arise out of, or result from the
Event.

Event Sponsor represents that its activities, pursuant to this agreement, will be supervised
by adequately trained personnel, and that Event Sponsor will observe, and cause the
participants in the activity to observe, all safety rules for the facility and the activity.
Event Sponsor acknowledges that the State has no duty to and will not provide
supervision of the activity.

Event Sponsor shall also secure and keep in force during the entire term of the Event,
from an insurance company, government self-insurance pool or government self-
retention fund authorized to do business in North Dakota, commercial general liability
insurance covering claims based on the vicarious liability of the Event Sponsor arising
out of this agreement, naming the state of North Dakota and its agencies, officers, and
employees (State) as additional insureds, and furnish a certificate of insurance showing
the endorsement naming the State as additional insureds. The limits of liability required
of the liability insurance coverage are at least \$250,000 per person and at least
\$1,000,000 per occurrence. The endorsement to the policy will provide that the policy
may not be canceled without 10 days' written notice to the State, shall contain a "Waiver
of Subrogation" waiving any right of recovery the insurance company may have against
the State and provide that any attorney who represents the State under this policy must
first qualify as and be appointed by the North Dakota Attorney General as a Special
Assistant Attorney General as required by N.D.C.C. Section 54-12-08. Event Sponsor
will deliver said certificate of insurance and endorsement to the undersigned at least 10
days prior to the Event.

Event: _____

Area of and facilities to be used: _____

Date and time of event: _____

Dated this ____ day of _____, 20__.

Event Sponsor:

State of North Dakota Facility

By: _____

Its: _____

By: _____

Its: _____